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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/484,879

Group Art Unit: 1627

Filed: January 18, 2000

Examiner: Wessendorf, T.

For: ANTIGEN BINDING PEPTIDES
(ABTIDES) FROM PEPTIDE
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Attorney Docket No.: 1101-226

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicant hereby direct the Examiner's attention to the references AA-CK listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant."

Copies of references AA-CC were submitted to the Patent Office in connection with United States Patent Application Serial No. 08/310,192 filed September 21, 1994, to which the instant application claims priority pursuant to 35 U.S.C. § 120. Copies of CD-CK (originally submitted as CF-CI) were submitted to the Patent Office in connection with United States Patent Application Serial No. 08/488,161 filed June 7, 1995, to which the instant application claims priority pursuant to 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the files of United States Patent Application Serial No. 08/310,192 for copies of references AA-CC and Application Serial No. 08/488,161 for copies of references CD-CK.

Identification of the listed references is not to be construed an admission of Applicant or Attorneys for Applicant that such references are available as "prior art" against the subject application. Consequently, Applicant respectfully declines to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an

alternative, Applicant submits herewith several pages of a "revised form PTO 1449" entitled "List of References Cited by Applicant" instead of "List of Prior Art Cited."

Applicant respectfully requests that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits and before the mailing of final Office Action or a Notice of Allowance. Accordingly, a fee of \$180.00, as specified by 37 C.F.R. § 1.17(p), is believed to be required for this submission. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet of this is enclosed for accounting purposes.

Respectfully submitted,

Date April 24, 2001

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Enclosure